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3 BILL NO. R-75-10-38.

4 RESOLUTION NO. R- 58-75.

5 A RESOLUTION APPROVING AN AGREEMENT
6 BY THE MAYOR OF THE CITY OF FORT
7 WAYNE AND THE FORT WAYNE PATROLMAN'S
8 BENEVOLENT ASSOCIATION, INC.

9 WHEREAS, heretofore the City of Fort Wayne, Indiana
10 by its Mayor has recognized that Fort Wayne Patrolman's
11 Benevolent Association, Inc. represents a majority of
12 those officers of the Fort Wayne, Indiana Police Department,
13 both uniform and non-uniform, holding the rank of Patrolman,
14 but expressly excepting civilian employees of said Fort
15 Wayne Police Department; and,

16 WHEREAS, a copy of said Agreement is attached hereto
17 and marked Exhibit A; and ,

18 WHEREAS, Fort Wayne Patrolman's Benevolent Association,
19 Inc. has requested the Common Council of the City of
20 Fort Wayne to join in said recognition by the Mayor of
21 the City of Fort Wayne of said Patrolman's Benevolent
22 Association, Inc; and,

23 WHEREAS, the Common Council of the City of Fort Wayne
24 after due consideration of the matter has concurred in said
25 recognition of said Fort Wayne Patrolman's Benevolent Asso-
26 ciation, Inc., as the collective bargaining representative
27 for the Police Officers in the units described in said
28 attached Exhibit A hereto;

29 NOW THEREFORE BE IT RESOLVED: That the Common Council
30 of the City of Fort Wayne, Indiana hereby joins in the
31 Mayor's recognition of Fort Wayne Patrolman's Benevolent
32 Association, Inc. as the exclusive bargaining representative
33 for the officers in the units described in attached Exhibit
34 A hereto, and does further approve said Exhibit A attached
35 hereto.

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Eugene Kraus
Councilman

Approved as to form and legality
this 7th day of October, 1975

John H. Logan, Attorney for Common Council

APPROVED AS TO FORM
AND LEGALITY

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and to the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: _____

CITY CLERK

Read the third time in full and on motion by Fraus, seconded by Nuckols, and duly adopted, placed on its passage.

Passed (~~last~~) by the following vote:

AYES	<u>8</u>	NAYS	<u>1</u>	ABSTAINED	_____	ABSENT	_____	to-wit:
BURNS	<u>X</u>	_____	_____	_____	_____	_____	_____	
HINGA	<u>X</u>	_____	_____	_____	_____	_____	_____	
KRAUS	<u>X</u>	_____	_____	_____	_____	_____	_____	
NUCKOLS	<u>X</u>	_____	_____	_____	_____	_____	_____	
MOSES	<u>X</u>	_____	_____	_____	_____	_____	_____	
SCHMIDT, D.	_____	<u>X</u>	_____	_____	_____	_____	_____	
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____	_____	_____	
STIER	<u>X</u>	_____	_____	_____	_____	_____	_____	
TALARICO	<u>X</u>	_____	_____	_____	_____	_____	_____	

Date: 10-14-75

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 358 on the 14th day of October, 1975.

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1975, at the hour of 11:00 o'clock A M., E.S.T.

CITY CLERK

Approved and signed by me this 15 day of Oct, 1975, at the hour of 10:00 o'clock A M., E.S.T.

MAYOR

Bill No. R-75-10-38

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance ^{*Resolution*}
approving

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

- Eugene Kraus, Jr. - Chairman
- John Huckols - Vice-Chairman
- Vivian G. Schmidt
- Paul M. Burns
- Donald J. Schmidt

Eugene Kraus
Vivian G. Schmidt

RECOGNITION AGREEMENT

This Agreement made and entered into this 8th day of August, 1975, by and between the CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, and all appropriate subordinate organizations under the authority of the City of Fort Wayne, Allen County, Indiana, and the FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC.

WHEREAS, The CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, has recognized that the FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC., represents a majority of employees in the units as described in the attachment hereto, and;

WHEREAS, FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC., has requested the CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, to grant it recognition as the collective bargaining representative for the employees in the units as described in the attachment hereto;

NOW, THEREFORE, the CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, recognizes the FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC., as the collective bargaining representative for the employees in the units described in the attachment hereto and the FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC., hereby agrees to represent the employees in the units as described in the attachment hereto.

CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA

FORT WAYNE PATROLMAN'S BENEVOLENT
ASSOCIATION, INC.

BY: _____

BY: _____
ITS PRESIDENT

BY: _____
ITS SECRETARY-TREASURER

APPROVED AS TO FORM
AND LEGALITY.

"EXHIBIT A"

ATTACHMENT TO RECOGNITION AGREEMENT

The units for which the FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC., has been recognized as the bargaining agent for are as follows, to-wit:

All of those officers of the Fort Wayne, Indiana Police Department, both uniformed and non-uniformed, holding the rank of patrolman but expressly excepting therefrom civilian employees of the Fort Wayne Police Department.

TERM OF AGREEMENT

This agreement shall be effective as of the 8th day of August 1975, and shall remain in full force and effect through the 31st day of December, 1977, and/or until such time a contract is entered into by and between the CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, and the FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC.

CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA

FORT WAYNE PATROLMAN'S
BENEVOLENT ASSOCIATION, INC.

By: _____
Ivan A. Lebamoff, Mayor
City of Fort Wayne,
Allen County, Indiana

By: _____
Its President

By: _____
President, Common Council
of City of Fort Wayne,
Allen County, Indiana

By: _____
Its Secretary-Treasurer

Exhibit "A"

October 9, 1975

Mr. Eugene Kraus
805 Gettle Bldg.
Fort Wayne, In. 46802

Dear Gene:

At your request, I have considered the matter of enactment into an Ordinance by Common Council of the proposed Bill of Rights by Patrolman's Benevolent Association. I render the following opinion.

Anything affecting the working conditions of Policemen and Fire Fighters is within the proper province of the Executive and Administrative branch of the City Government and is not within the province of the Legislative branch.

True, the Common Council has jurisdiction pursuant to IC-18-2-1-10 to negotiate amounts of compensation paid by the City to members of Police and Fire Departments, but the expressed statement concerning compensation does not include a grant of legislative authority as to working conditions and Rules pertaining thereto.

IC 18-1-1.5-15 gives the City power to establish, maintain and operate:

- "(a) A police and law enforcement system to preserve public peace and good order;
- (b) A firefighting and prevention system;
- (c) Facilities and equipment for police and fire systems;"

The City of Fort Wayne has a Board of Public Safety and therefore it would be my opinion that this matter should emanate from the Board of Public Safety. The Common Council could then enact rules promulgated by said Board of Public Safety in accordance with IC 18-1-1.5-17 into ordinance form.

Respectfully submitted,

JOHN H. LOGAN
jhl/bm

DIGEST SHEET

R. 75-10-28

TITLE OF ~~BREXONNET~~ RESOLUTION APPROVING AN AGREEMENT BY THE MAYOR OF THE CITY OF FORT
WAYNE AND THE FORT WAYNE PATROLMAN'S BENEVOLENT ASSOCIATION, INC.

COMMON

DEPARTMENT REQUESTING ~~BREXONNET~~ RESOLUTION ~~COMMISSION~~ COUNCILSYNOPSIS OF ~~BREXONNET~~ RESOLUTION RATIFIED APPROVAL BY MAYOR

EFFECT OF PASSAGE APPROVES MAYOR'S ACTION

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) NONE

ASSIGNED TO COMMITTEE (PRESIDENT)

Regulations